

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.21329 OF 1995

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DATED: 05-09-2006

BETWEEN

P. Radha Krishnaiah, S/o. Venkaiah,
R/o. 31/1659, NTR Nagar, Nellore,
Nellore District.

...PETITIONER

AND

Divisional Manager, A.P.S.R.T.C.,
Nellore, Nellore District and another.

...RESPONDENTS

ORDER:

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Petitioner seeks a Writ of Mandamus to declare the proceedings dated 19.06.1995 issued by the Senior Manager on behalf of the respondents as illegal and arbitrary.

It is the case of the petitioner that he is a displaced employee, who worked as a Checking Inspector and Conductor in the bus bearing No. APC 4347 belonging to Bharathi Bus Service, which was displaced on account of the nationalization of bus routes in Nellore in 1987 and his name was found in list of displaced employees submitted by the owner of the bus for absorption in the services of APSRTC. Pursuant to the submission of the list the petitioner was interviewed and selected and sent for training but he was not appointed. Therefore, he filed W.P.No.3486 of 1994, which was disposed of directing the respondents to consider his case. Pursuant to the said order the petitioner was interviewed again on 08.05.1995 and on the ground that he did

not produce all the relevant documents rejected his claim holding that he is not a genuine displaced worker. Therefore, it is stated that the petitioner is entitled for absorption as Conductor in APSRTC and the rejection order of the Senior Manager, Nellore dated 19.06.1995 is illegal and unsustainable.

Counter has been filed on behalf of the respondents stating that pursuant to the directions of this Court in WP.No.3486 of 1994 the respondents considered the case of the petitioner and directed him to produce all relevant records but the petitioner failed to produce the certificates such as muster and wage registers, trip sheets, check reports etc. Therefore, the selection committee considered the case of the petitioner and found that he was not a genuine displaced worker. Therefore, the impugned order has been passed rejecting his selection.

In the absence of producing the relevant records it cannot be said that the petitioner is a genuine displaced worker. Having regard to the facts and circumstances of the case, the writ petition is accordingly dismissed. No costs.

V. ESWARAI AH, J

September 5, 2006
DSK